

Appl No. 10/623,404
Amdt. Dated April 19, 2005
Reply to Office action of Apr. 4, 2005

REMARKS/ARGUMENTS

In the specification, claim 1 or paragraph [002], has been amended editorially and to correct those errors noted by the examiner. I canceled claims 2-8.

Arguments are presently made by the current invention with regards to the prior art mentioned in Spence. Under section 103, the combination of a booth, portable DVD player and slide able wooden tray are not suggested in such a combination, and one skilled in the art would have no reason to make such a combination. Moreover, the combination of the present invention achieves a new, unexpected, and surprising result and these distinctions are patentable under section 103. The combination of the present invention achieves a new desired outcome by the simple operation and practicality of using the invention while dining at a booth inside a restaurant. The present invention creates an unexpected and surprising result which is not mentioned or insinuated in Spence. In Spence, the tray was intended to support a keyboard for the functionality of that particular invention. The combination of a slide able tray, a booth, and a portable DVD player would be unobvious to a person of ordinary skill.

An argument is made by the current invention that the prior art in Spence lacks any suggestion that the reference should be modified in a manner required to meet the claims. The combination of Spence's invention in regards to a slide able tray is strictly intended to be used in accordance to his particular invention and lacks any suggestion that the slide able tray be modified for use in accordance with the present combination of the current invention and is therefore argued under section 103.

An argument is made by the current invention under section 103 that those skilled in the art have never really appreciated the advantage of the current invention and the tremendous benefit it presents in an inherent commercial setting between both customers and restaurants.

An argument is made by the current invention under section 103 that the invention was obvious to those skilled in the art. If the current invention was in fact obvious, then the advantages of the current invention would have been implemented by now through those skilled in the art. The fact that those skilled in the art have not implemented the invention, despite its great advantages, indicates that it is not obvious. The current invention presents a tremendous benefit to both the consumer and the restaurant which has never been seen before.

An argument is made by the current invention under section 103 that a solution to a long-felt and unsolved need is present. For example, when a customer goes to a restaurant, they need to be entertained not only while dining, but also before dining. Dining at a restaurant creates an opportunity for the restaurant to entertain and cater to the customer. The customer often has to wait a long time before they are given a booth to dine at due to long lines. Not only can the customer be entertained with the current invention at a designated booth while waiting for an available booth to dine at, but also continue the entertainment at their dining booth. The invention solves the long-felt, long-existing, but unsolved need of having something to do before, during, and after dining while sitting at a booth.

An argument is made by the current invention under section 103 that invention utilizes a completely different new principle of operation in combination and that the applicant has blazed a trail, rather than followed one as done in the prior art of Spence .

REMARKS/ARGUMENTS (continued)


An argument is made by the current invention under section 103 that prior-art references such as in Spence do not contain any suggestion (express or implied) that they are combined, or that they are combined in the manner suggested.

An argument is made by the current invention under section 103 that the whole, or the result achieved by the invention is greater than the sum of its parts. The combination of the current inventions is clearly greater than the sum of its parts. The result of the current invention creates a demand that is desired and is commercially viable by working in synergy.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

Edgar V. Chiquin


edgar.chiquin@yahoo.com
Tel.: (512) 301-9526

Attachments

BEST AVAILABLE COPY

Appl No. 10/623,404
Amend. Dated April 19, 2005
Reply to Office action of Apr. 4, 2005

Amendments to the Drawings:

The attached sheets of drawings include "New Sheet(s)". These added new sheets are an enhanced description of what is claimed. Fig. 5 and 6 illustrates an isometric view and operation of the current invention.

Attachment: New Sheet Fig. 5
New Sheet Fig. 6

BEST AVAILABLE COPY